

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

BRAHMA GROUP, INC.,

Plaintiff,

v.

Case No. 17-1076-JWB

CARGILL MEAT SOLUTIONS CORP.,

Defendant.

SECOND AMENDED SCHEDULING ORDER

Plaintiff has filed an unopposed motion to extend deadlines related to expert-witness disclosures (ECF No. 56). The motion states plaintiff's experts cannot form their opinions for disclosure until (1) the deposition of Fred Wines is completed after the court rules a pending motion related to the deposition (*see* ECF No. 55), and (2) defendant's Dodge City facility is inspected. The court finds that good cause has been shown for granting the proposed extensions. Although the motion does not request the extension of other case deadlines, resetting expert-witness deadlines necessarily affects other deadlines. Thus, the scheduling order¹ is amended as follows:

a. Briefing related to the pending motion to extend the length of Mr. Wines's deposition (ECF No. 55) is expedited. Any response is due by **November 21, 2018**. Any reply is due by **November 28, 2018**. The court will endeavor to issue a decision quickly, such that the deposition may be scheduled for continuation before the end of the year.

¹ ECF No. 29, as amended by ECF No. 47.

b. Disclosures required by Fed. R. Civ. P. 26(a)(2), including reports from retained experts, are due from plaintiff by **February 4, 2019**, and from defendant by **March 4, 2019**. Disclosures and reports by any rebuttal experts are due by **April 1, 2019**.

c. All discovery shall be commenced or served in time to be completed by **April 19, 2019**.

d. The final pretrial conference is rescheduled from March 21, 2019, to **May 13, 2019, at 1:00 p.m.** in the U.S. Courthouse, Room 223, 500 State Avenue, Kansas City, Kansas. Unless otherwise notified, the undersigned magistrate judge will conduct the conference. No later than **May 2, 2019**, defendant shall submit the parties' proposed pretrial order as an attachment to an e-mail directed to *ksd_ohara_chambers@ksd.uscourts.gov*. It shall be in the form available on the court's website (*www.ksd.uscourts.gov*), and the parties shall affix their signatures according to the procedures governing multiple signatures set forth in paragraphs II(C)(2)(a) & (b) of the *Administrative Procedures for Filing, Signing, and Verifying Pleadings and Papers by Electronic Means in Civil Cases*.

e. All dispositive motions shall be filed no later than **June 3, 2019**.

f. Motions challenging the admissibility of expert testimony are due by **June 3, 2019**.

The settings for in limine motions, proposed jury instructions, the limine conference, and trial are vacated. Since the original scheduling order was entered, this case was reassigned to U.S. District Judge John W. Broomes. Per Judge Broomes's preference, these settings will be re-set in the final pretrial order.

All other provisions of the original and first amended scheduling orders shall remain in effect. The schedule adopted in this second amended scheduling order shall not be modified except by leave of court upon a showing of good cause.

IT IS SO ORDERED.

Dated November 16, 2018, at Kansas City, Kansas.

s/ James P. O'Hara
James P. O'Hara
U.S. Magistrate Judge